

Ex. A

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Attorneys for Plaintiffs  
9 ELASTICSEARCH, INC. and  
ELASTICSEARCH B.V.  
10

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **OAKLAND DIVISION**  
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15 ELASTICSEARCH, INC., a Delaware  
corporation, and ELASTICSEARCH B.V., a  
16 Dutch corporation,

17 Plaintiffs,

18 v.

19 FLORAGUNN GmbH, a German corporation,

20 Defendant.  
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Case No. 4:19-cv-05553-YGR

**DECLARATION OF STEVEN  
KEARNS PURSUANT TO  
LOCAL RULE 79-5(E)(1) IN  
PARTIAL SUPPORT OF  
DEFENDANT FLORAGUNN  
GMBH'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL**

1 I, Steven Kearns, declare as follows:

2 1. I am a Vice President of Product Management for Plaintiffs Elasticsearch, Inc. and  
3 elasticsearch B.V. (collectively, “Elastic” or “Plaintiffs”) in the above captioned matter. The  
4 following is based on my personal knowledge, and if called as a witness in this matter, I could  
5 and would testify under oath thereto.

6 2. I make this declaration pursuant to Civil Local Rule 79-5(e) in partial support of  
7 floragunn GmbH’s (“floragunn”) Administrative Motion to File Under Seal (Dkt. 191) portions of  
8 floragunn’s Reply in Support of Motion to Exclude Portions of Testimony of Plaintiffs’ Expert  
9 Matthew Lynde (“floragunn’s Reply”) (Dkt. 192).

10 3. I make this declaration in support of sealing portions of floragunn’s Reply that  
11 contain Elastic’s highly confidential, proprietary, and sensitive competitive business information.  
12 The disclosure of this information would likely cause substantial harm to the competitive position  
13 of Elastic

14 4. Portions of **Pages 1, 2, 4, 8, 9, and 10** of floragunn’s Reply, as specified in the  
15 Declaration of James K. Rothstein, which I understand will be filed concurrently with this  
16 declaration, refer to and reflect highly confidential information about Elastic customers, sales,  
17 finances, and competitive assessments that Elastic does not disclose publicly. This information is  
18 derived from and reflects confidential Elastic sales figures and assessments of the competitive  
19 landscape for Elastic’s products. Elastic treats this information as sensitive competitive  
20 information, and its public disclosure would harm Elastic and benefit Elastic’s competitors.

21 I declare under penalty of perjury under the laws of the United States that the foregoing is  
22 true and correct and that this declaration was executed on September 27, 2021 at Lexington,  
23 Massachusetts.

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DocuSigned by:  
/s/ Steven Kearns  
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Steven Kearns